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**MINUTES OF THE ZONING BOARD PUBLIC
HEARING & REGULAR MEETING ON MONDAY,
APRIL 22, 2013, 7:00 P.M., 4TH FLOOR, CAFETERIA,
STAMFORD, CONNECTICUT**

Present for the Board: Tom Mills, (Chairman), Bill Morris, Harry Parson, Audrey Cosentini and Barry Michelson. Present for staff: Norman F. Cole, Land Use Bureau Chief and David Killeen, Associate Planner

Mr. Mills called the meeting to order at 7:11 p.m. Mr. Mills asked for a motion to change the order of the agenda. Mr. Morris made a motion to move agenda item Application 208-05 Antares Harbor Point to the first discussion item. Mr. Michelson seconded the motion and it was approved 5:0 with the eligible members voting (Mills, Morris, Cosentini, Parson and Michelson).

1. **APPL. 208-05 ANTARES HARBOR POINT**, General Development Plan, Condition #7, 14 Acre Working Boatyard and Full Service Marina status updates, Cease & Desist Order and requested items.

Mr. Mills invited Bill Buckley, for the Applicant, to speak. He presented a plan showing the status of the remediation work and map of the hotspots.

Mr. Mills asked why the excavation areas were enlarged compared to the original hot spot map. Rob Danielson explained the soil testing procedure and stated that the excavation work all started in identified hotspots. Mr. Buckley explained the timing to complete the remediation of "Parcel X" currently used by Ponus Yacht Club to store boats.

Mr. Mills asked about scraping and bottom painting of boats. Mr. Buckley handed out an explanation of work dated April 22, 2013. He explained how sheet-piling work will be performed and the plan to stop at the interim boatyard during the boating season. Mr. Morris asked what docks and wave fences would remain. Mr. Buckley answered that the West side docks would be saved, the East side docks incurred storm damage and removed and most of the South side docks also removed. The wave fences were saved.

Mr. Mills noted that it appeared some docks were removed after the Board approved remediation but the removal was without Zoning Board approval.

Mr. Mills asked Attorney John Freeman to address the "cultural" requirement. Attorney Freeman said he would like more time to review meeting tapes. Mr. Mills asked if the Applicant intended to proceed with the Notice to Quit and if they intend to comply with the cultural requirement if they do. Attorney Freeman said the Loft Artist space was never used to meet the requirement and they still have more time to comply. Mr. Mills said they'd been given a month and asserted the issue could be resolved within the next week. Mr. Mills said there was still no Letter of Intent from the City of Stamford on 205 Magee Avenue so the application submitted had still not been referred for departmental review. Mr. Mills also discussed the denial of the sign application for Y2 at 115 Towne Street.

Mr. Morris asked if the 205 Magee Avenue application would replace the former boatyard. Mr. Cole replied no.

Lisa Cuscuna, President of the Loft Artists, said the Zoning Board needs to interpret the meaning of “cultural establishment”. Artists evicted from the third floor left 4 people with no studio space. Mr. Parson asked if the Loft Artists didn’t have a five year verbal agreement with BLT? Ms. Cuscuna said she didn’t know; she wasn’t present at that time.

Mr. Mills called a brief recess at 8:40pm and resumed the meeting at 8:50pm.

PUBLIC HEARING

Mr. Mills opened the Public Hearing.

Mrs. Cosentini made a motion to add an organizational meeting to the agenda. Mr. Michelson seconded the motion and it was approved 5:0 with the eligible members voting (Mills, Morris, Cosentini, Parson and Michelson).

Mr. Michelson moved to nominate Tom Mills as Chairman. Mrs. Cosentini seconded the motion and it was approved 5:0 with the eligible members voting (Mills, Morris, Cosentini, Parson and Michelson).

Mrs. Cosentini moved to nominate Barry Michelson as Secretary. Mr. Morris seconded the motion and it was approved 5:0 with the eligible members voting (Mills, Morris, Cosentini, Parson and Michelson).

Mr. Michelson made a motion to return to the scheduled agenda. Mrs. Cosentini seconded the motion and it was approved 5:0 with the eligible members voting (Mills, Morris, Cosentini, Parson and Michelson).

1. **Application 213-03 – BLCR HOLDINGS, LLC, Text change,** to Amend Article III, Section 7.3-C-1 Special Exception Uses for Historic Buildings to reduce the minimum building age from 100 years to 75 years and Section 7.3-D-2.d to allow real estate office use in R-20 districts that front State Highways provided the property abuts a non-residential zone or use for not less than 25% of the total distance of the boundary line of the subject parcel.

Mr. Mills opened the Public Hearing and explained that this application is being continued from the meeting of April 8, 2013. Richard Redniss, for the Applicant, explained the text amendment and showed maps of eligible properties. He read a letter of support from John Kantzas, abutting property owner.

Mrs. Cosentini asked why they don’t apply for a zone change to CD? Mr. Redniss said the Master Plan prohibits commercial expansion north of Bull’s Head.

Jim Murphy told the Board that this application requires a Zoning Board special exception and the building itself will not change.

Mr. Mills suggested the applicant increase the exception to buildings older than 85 years and larger than 25% abutting commercial.

Mr. Mills called for any questions or comments from the Public.

Cynthia Reeder, Stamford resident, said the Charter revision created a Historic Preservation Commission. She recommended that this commission replace the “two experts” rule in current regulations.

Mr. Mills briefly adjourned the Public Hearing on this item, to be continued later in the evening.

2. **Application 213-05 – RMS 750 SUMMER STREET, LLC & RMS HOLDINGS, LLC, Map change,** to rezone approximately 0.1 acres from R-MF to MX-D and approximately 0.6 acres from C-L to MX-D located at 750 and 760 Summer Street in Block No. 239.
3. **Application 213-06 – RMS 750 SUMMER STREET, LLC - Text change,** to Amend Article IV, Section 12-D-1-c to allow minimum parking per dwelling unit in MX-D districts and amendments to Article III, Section 9-AAA MX-D Definition and Standards in the MX-D Mixed Use Development District.
4. **Application 213-07 – RMS 750 SUMMER STREET, LLC, 750-760 Summer Street, Special exceptions,** requests approval of a special exception to modify setbacks, modified parking standards of 1 space for units of two or less bedrooms and 1.25 spaces for units of three bedrooms or more, modified BMR requirement to include Fee-in-Lieu payment, reduction/waiver of open space requirement and modified signage allowing a 50 s.f. blade sign.
5. **Application 213-08 – RMS 750 SUMMER STREET, LLC, & RMS HOLDINGS, LLC, 750-760 Summer Street, GDP and Final Site Plan,** requests approval to construct a new six story residential infill development including 58 residential apartments and 5,370 s.f. of indoor/outdoor amenity space, parking and landscaping on .57 acres in an MX-D district at 750 Summer Street

Mr. Mills opened the Public Hearing on these 4 applications. Attorney William Hennessey, Jr. explained the requested MX-D zone change, text change and site plans.

Mr. Michelson expressed concern that the parking standard is very tight. Attorney Hennessey said they’ve studied those projects with parking demand and found it’s less than 1:0 and they all have a high percentage of one bedroom units. This project will be 60% one bedroom units. This is also a lot of available parking space on Summer Street.

Randy Salvatore said there are a lot of office buildings in the area that have excess parking during the day and many more at night.

Attorney Hennessey discussed the outline of the map change. He then explained the two special exceptions for parking and the blade sign. Discussing the blade sign, Attorney Hennessey noted it is not illuminated.

Mrs. Cosentini said she felt this was out of character with the rest of the street. Mr. Mills said it seemed too large but adds to the architectural character of the building.

Attorney Hennessey discussed the final plans and described the architecture and landscaping proposed.

After a brief discussion, Mr. Mills continued the Public Hearing on these applications to April 29, 2013.

Mr. Mills resumed the hearing on the Historic Text Change for Long Ridge Road:

Application 213-03 – BLCR HOLDINGS, LLC

The Board discussed changing the application to 40% commercial and increasing historic building age to 85 years and arrived at the following revised language:

TO AMEND the last sentence of Section 7.3 (Special Exception Uses for Historic Buildings), paragraph 7.3-C-1 (Historic Building), to read as follows:

A building located within the R-6, R-7.5, R-10, R-20, RA-1, RA-2, or RA-3 District shall be a minimum of eighty-five (85) years old, in whole or in part, to be eligible for consideration as a historic building for purposes of this section 7.3.

TO AMEND Section 7.3 (Special Exception Uses for Historic Buildings), paragraph 7.3-D-2-d, to read as follows:

d. Historic buildings in the R-20 district with frontage on a State highway may be allowed real estate office use, provided the property abuts a non-residential zone for not less than 40% of the total distance of the boundary line of the subject parcel or contains an approved and/or legally nonconforming non-residential use and that all non-residential uses shall not exceed a total of 0.15 FAR. The standards and conditions of Section 19-3.2-e shall not apply.

After further discussion, Mr. Morris made a motion to approve the application as revised. Mr. Michelson seconded the motion and it was approved 4:0 with the eligible members voting (Mills, Morris, Parson and Michelson).

REGULAR MEETING

APPROVAL OF MINUTES:

Mr. Mills said the minutes for April 1 and April 8, 2013 would be reviewed and voted on at the next meeting scheduled for April 29, 2013.

Mr. Mills adjourned the meeting at 11:15 pm.

Respectfully submitted,

Tom Mills, Chair
Stamford Zoning Board